

Fill in this information to identify your case:

Debtor 1	Kathryn	Alice	Luby
	First Name	Middle Name	Last Name
Debtor 2	Terrence	Patrick	Luby
(Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the : <u>NORTHERN DISTRICT OF ILLINOIS</u>			
Case Number (If known) _____			

Check if this is an amended plan, and list below the sections of the plan that have been changed  
\_\_\_\_\_

## Official Form 113

# Chapter 13 Plan

12/17

### Part 1: Notices

**To Debtors:** This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable.

*In the following notice to creditors, you must check each box that applies.*

**To Creditors:** Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to file a timely proof of claim in order to be paid under any plan.

The following matters may be of particular importance. **Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

1.1	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.3	Nonstandard provisions, set out in Part 8	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included

### Part 2: Plan Payments and Length of Plan

#### 2.1 Debtors(s) will make regular payments to the trustee as follows:

\$ 200.00 per month for 6 months  
[and \$ 466.00 per month for 54 months.] Reason: Directly paid debt paid off

Insert additional lines if necessary.

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.



Debtor 1 Kathryn First Name      Alice Middle Name      Luby Last Name  
 Case Number (if known) \_\_\_\_\_

**Part 4: Treatment of Fees and Priority Claims****4.1 General**

Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.5, will be paid in full without postpetition interest.

**4.2 Trustee's fees**

Trustee's fees are governed by statute and may change during the course of the case but are estimated to be 6.00 % of plan payments; and during the plan term, they are estimated to total \$ 1,581.84.

**4.3 Attorney's fees**

The balance of the fees owed to the attorney for the debtor(s) is estimated to be \$ 4,000.00.

**4.4 Priority claims other than attorney's fees and those treated in § 4.5.**

*Check one.*

**None.** If "None" is checked, the rest of § 4.4 need not be completed or reproduced.

**4.5 Domestic support obligations assigned or owed to a governmental unit and paid less than full amount.**

*Check one.*

**None.** If "None" is checked, the rest of § 4.5 need not be completed or reproduced.

**Part 5: Treatment of Nonpriority Unsecured Claims****5.1 Nonpriority unsecured claims not separately classified.**

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. *Check all that apply.*

The sum of \$ \_\_\_\_\_.

10 % of the total amount of these claims, an estimated payment of \$ 14,165.72

The funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$ 0.00.  
 Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

**5.2 Maintenance of payments and cure of any default on nonpriority unsecured claims. Check one.**

None. If "None" is checked, the rest of § 5.2 need not be completed or reproduced.

**5.3 Other separately classified nonpriority unsecured claims. Check one.**

None. If "None" is checked, the rest of § 5.3 need not be completed or reproduced.

**Part 6: Executory Contracts and Unexpired Leases****6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. Check one.**

None. If "None" is checked, the rest of § 6.1 need not be completed or reproduced.

Debtor 1 Kathryn Document Luby  
 First Name Middle Name Last Name Case Number (if known) \_\_\_\_\_

**Part 7: Vesting of Property of the Estate****7.1 Property of the estate will vest in the debtor(s) upon***Check the applicable box:*

- plan confirmation.
- entry of discharge.
- other: \_\_\_\_\_.

**Part 8: Nonstandard Plan Provisions****8.1 Check "None" or List Nonstandard Plan Provisions**

- None.** If "None" is checked, the rest of Part 8 need not be completed or reproduced.

*Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Official Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.*

*The following plan provisions will be effective only if there is a check in the box "Included" in § 1.3.*

No secured claim shall be paid to Chase AUTO for the 2007 Honda Odyssey, as debtor will make all payments directly pursuant to the contract. Chase AUTO shall retain its lien until the contract is satisfied.

No secured claims shall be paid to FORD CRED for debts secured by 2008 Honda Civic with over 90,000 miles as cosigner shall make those payments directly.

**Part 9: Signature(s):****9.1 Signatures of Debtor(s) and Debtor(s)' Attorney**

*If the Debtor(s) do not have an attorney, the Debtor(s) must sign below; otherwise the Debtor(s) signatures are optional. The attorney for the Debtor(s), if any, must sign below.*

**X /s/ Kathryn Alice Luby**

Kathryn Alice Luby

**X /s/ Terrence Patrick Luby**

Terrence Patrick Luby

Date: 09/16/2018

Date: 09/16/2018

**X /s/ Christopher Michael Dyer**

Signature of Attorney for Debtor

Date: 09/21/2018

**By filing this document, the Debtor(s), if not represented by an attorney, or the Attorney for Debtor(s) also certify(ies) that the wording and order of the provisions in this Chapter13 plan are identical to those contained in Official Form 113, other than any nonstandard provisions included in Part 8.**

Debtor 1 Kathryn  
First NameAlice  
Middle NameDocument  
Luby

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Case Number (if known) \_\_\_\_\_

**Exhibit: Total Amount of Estimated Trustee Payments**

*The following are the estimated payments that the plan requires the trustee to disburse. If there is any difference between the amounts set out below and the actual plan terms, the plan terms control.*

a. Maintenance and cure payments on secured claims (Part 3, Section 3.1 total)	\$ 0.00
b. Modified secured claims (Part 3, Section 3.2 total)	\$ 0.00
c. Secured claims excluded from 11 U.S.C. § 506 (Part 3, Section 3.3 total)	\$ 0.00
d. Judicial liens or security interests partially avoided (Part 3, Section 3.4 total)	\$ 0.00
e. Fees and priority claims (Part 4 total)	\$ 5,581.84
f. Nonpriority unsecured claims (Part 5, Section 5.1, highest stated amount)	\$ 14,165.72
g. Maintenance and cure payments on unsecured claims (Part 5, Section 5.2 total)	\$ 0.00
h. Separately classified unsecured claims (Part 5, Section 5.3 total)	\$ 0.00
i. Trustee payments on executory contracts and unexpired leases (Part 6, Section 6.1 total)	\$ 0.00
j. Nonstandard payments (Part 8, total)	\$ 0.00
 Total of lines a through j	\$ 19,747.56